

PU'UHONUA O HŌNAUNAU NATIONAL HISTORICAL PARK
ADDITION ACT OF 2002

MAY 3, 2002.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HANSEN, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 1906]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1906) to amend the Act that established the Pu'uhonua O Honaunau National Historical Park to expand the boundaries of that park, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Pu'uhonua o Hōnaunau National Historical Park Addition Act of 2002”.

SEC. 2. ADDITIONS TO PU'UHONUA O HŌNAUNAU NATIONAL HISTORICAL PARK.

The first section of the Act of July 26, 1955 (69 Stat. 376, ch. 385; 16 U.S.C. 397), is amended—

(1) by striking “That, when” and inserting the following:

“SECTION 1. (a) When”; and

(2) by adding at the end thereof the following new subsections:

“(b) The boundaries of Pu'uhonua o Hōnaunau National Historical Park are hereby modified to include approximately 238 acres of lands and interests therein within the area identified as ‘Parcel A’ on the map entitled ‘Pu'uhonua o Hōnaunau National Historical Park Proposed Boundary Additions, Ki'ilae Village’, numbered PUHO-P 415/82,013 and dated May, 2001.

“(c) The Secretary of the Interior is authorized to acquire approximately 159 acres of lands and interests therein within the area identified as ‘Parcel B’ on the map referenced in subsection (b). Upon the acquisition of such lands or interests therein, the Secretary shall modify the boundaries of Pu'uhonua o Hōnaunau National Historical Park to include such lands or interests therein.”.

SEC. 3. AUTHORIZATIONS OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

PURPOSE OF THE BILL

The purpose of H.R. 1906 is to amend the Act that established the Pu‘uhonua O Honaunau National Historical Park to expand the boundaries of that park.

BACKGROUND AND NEED FOR LEGISLATION

The Pu‘uhonua o Honaunau National Historical Park was authorized by Congress in 1955 and formally established in 1961 (16 U.S.C. 397). The park was originally designated as the City of Refuge National Historical Park, but was given its current name in 1978. The park preserves the site where Hawaiians who broke “kapu” (one of the ancient laws used to balance and protect the laws of nature) could avoid certain death by fleeing to a place of refuge or “pu‘uhonua.”

Currently, the park encompasses approximately 180 acres on the western coast of the island of Hawaii. In 1957, however, it was found that some of the area’s most valuable resources were left outside park boundaries—part of the historic village of Ki‘ilae, several significant burial caves, and the upper end of a prehistoric royal sledding track. In 1965 the National Park Service declared, “Undoubtedly, the boundaries would have been described to include the rest of the village and the upper half of the track if this information had been available in 1955.”

H.R. 1906 would protect shoreline scenic values within site of the park by authorizing the Secretary to expand the park by up to 397 acres to include portions of the Ki‘ilae village complex and protect the early Hawaiian landscape. This bill would bring an important ecological unit under one policy, ownership, and administration, and protect and preserve a significant portion of the early Kona Field System. Overall, it would help preserve a wide range of highly significant cultural resources closely associated with the current resources of the National Historical Park.

The FY2002 Interior Appropriations bill appropriated \$500,000 toward acquisition of these lands subject to authorization.

COMMITTEE ACTION

H.R. 1906 was introduced on May 17, 2001, by Congresswoman Patsy Mink (D–HI). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks, Recreation, and Public Lands. On April 16, 2002, the Subcommittee held a hearing on the bill. On April 18, 2002, the Subcommittee met to mark up the bill. Congressman George Radanovich (R–CA) offered an amendment in the nature of a substitute that reduced the land authorized to be acquired to 397 acres, which is represented by Parcel A (approximately 238 acres) and Parcel B (approximately 159 acres) as depicted on the referenced map. It was adopted by voice vote. The bill, as amended, was then ordered favorably reported to the Full Committee by voice vote. On April 24, 2002, the Full Resources Committee met to consider the bill. No amendments were offered and the bill was or-

dered favorably reported by unanimous consent to the House of Representatives.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to amend the Act that established the Pu'uhonua O Honaunau National Historic Park to the boundaries of the park.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 26, 2002.

Hon. JAMES V. HANSEN,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1906, the Pu'uhonua O Honaunau National Historical Park Addition Act of 2002.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 1906—Pu‘uhonua o Honaunau National Historical Park Addition Act of 2002

H.R. 1906 would authorize the expansion of the Pu‘uhonua o Honaunau National Historical Park. Specifically, the bill would modify the park boundaries to add a 238-acre parcel of land contiguous to the park, which the National Park Service (NPS) could then acquire by purchase or donation. The legislation would provide for additional expansion by authorizing the NPS to acquire another 159 acres and to then redraw the park’s boundaries accordingly. Finally, H.R. 1906 would authorize the appropriation of whatever amounts are necessary for land acquisition and related activities.

Based on information provided by the NPS, CBO estimates that the one-time costs to purchase and study the 238 acres added by the legislation would be about \$5 million, of which \$0.5 million was appropriated in 2002. Assuming appropriation of the remaining amounts, we expect that the NPS would purchase this acreage in 2003. We estimate that provisions authorizing the acquisition of an additional 159 acres would have no significant cost, because we expect that the agency would only acquire acreage donated by the owners. Additional costs to administer all land added to the park as a result of the bill would be about \$0.3 million annually, assuming the availability of appropriated funds. Enacting H.R. 1906 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

The legislation contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

On August 20, 2001, CBO transmitted a cost estimate for S. 1057, the Pu‘uhonua o Honaunau National Historical Park Addition Act of 2001, as ordered reported by the Senate Committee on Energy and Natural Resources on August 2, 2001. The two versions of the legislation are identical. The estimated costs are also identical, but no funds had been appropriated for the project at the time of our earlier estimate.

The CBO staff contact for this estimate is Deborah Reis. The estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 1 OF THE ACT OF JULY 26, 1955

AN ACT To authorize the establishment of the City of Refuge National Historical Park, in the Territory of Hawaii, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [That, when]

SECTION 1. (a) When title to such lands located on the island of Hawaii, within the following-described area, as shall be designated by the Secretary of the interior, in the exercise of his judgment and discretion as necessary and suitable for the purpose, shall have been vested in the United States, said lands shall be set apart as the Pu'uhonua o Hōnaunau National Historical Park, in the Territory of Hawaii, for the benefit and inspiration of the people:

PARCEL 1

* * * * *

(b) The boundaries of Pu'uhonua o Hōnaunau National Historical Park are hereby modified to include approximately 238 acres of lands and interests therein within the area identified as "Parcel A" on the map entitled "Pu'uhonua o Hōnaunau National Historical Park Proposed Boundary Additions, Ki'ilae Village", numbered PUHO-P 415/82,013 and dated May, 2001.

(c) The Secretary of the Interior is authorized to acquire approximately 159 acres of lands and interests therein within the area identified as "Parcel B" on the map referenced in subsection (b). Upon the acquisition of such lands or interests therein, the Secretary shall modify the boundaries of Pu'uhonua o Hōnaunau National Historical Park to include such lands or interests therein.